

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 4:05CR0294 CEJ/TCM
)
RAMON MONTES-CASTILLO,)
MARTIN OBREGON-RODALLEGAS,)
and MANUEL MONTES-CASTILLO,)
)
Defendants.)

**ORDER AND REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

In accordance with the Memorandum filed herein,

IT IS HEREBY ORDERED that the Motion of Defendant Ramon Montes-Castillo for Government Agents to Retain Rough Notes [Doc. 82] is **GRANTED** in part and **DENIED** in part..

IT IS FURTHER ORDERED that the Motion of Defendant Ramon Montes-Castillo for Discovery [Doc. 85] is **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED that the Motion of Defendant Ramon Montes-Castillo for Discovery of Rule 404(b) Evidence [Doc. 86] is **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED that the Motion of Defendant Ramon Montes-Castillo for Disclosure of Impeaching Information [Doc. 87] is **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED that the Motion of Defendant Ramon Montes-Castillo for Specific Kyles and Brady Information [Doc. 90] is **DENIED**.

IT IS FINALLY ORDERED that the Motion of Defendant Ramon Montes-Castillo for Pretrial Determination of Admissibility of Con-Conspirators' Statements [Doc. 83] is **DENIED**.

IT IS HEREBY RECOMMENDED that Motion of Ramon Montes-Castillo for Severance [Doc. 84] should be **DENIED**.

IT IS HEREBY RECOMMENDED that the Motions of Defendant Ramon Montes-Castillo to Suppress the Contents of Any Electronic Surveillance [Docs. 89, 118]; Defendant Martin Obergon-Rodallegas to Suppress Fruits of Illegal Electronic and Other Surveillance [Doc. 134]; and Defendant Manuel Montes-Castillo to Suppress Electronic Surveillance [Doc. 131] should be **DENIED**.

IT IS FURTHER RECOMMENDED that Defendants' Motions to Suppress the electronic surveillance regarding the pen registers and trap and trace in § 2703 orders [Docs. 89, 118, 131, 134] should be **DENIED**.

IT IS FURTHER RECOMMENDED that Defendants' Motions to Suppress Evidence, including videotaped surveillance, controlled purchases of illegal drugs, search warrants, vehicle searches, and consent searches [Docs. 129, 133] should be **DENIED**.

IT IS FINALLY RECOMMENDED that Defendants' Motions to Suppress Statements [Docs. 130, 133] should be **DENIED**.

The parties are advised that they have eleven (11) days in which to file written objections to this Recommendation and the Memorandum incorporated herein pursuant to

28 U.S.C. § 636(b)(1), unless an extension of time for good cause is obtained, and that failure to file timely objections may result in waiver of the right to appeal questions of fact. See Thompson v. Nix, 897 F.2d 356 (8th Cir. 1990).

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 4th day of November, 2005.